

March 19, 1976

it ought not be done.

PRESIDENT: The Chair will ask Senator DeCamp to close but before I do that, the Chair's position should be made clear on this matter. First of all, Senator Schmit, there's a strong implication that somehow or another the Chair is pitted against twenty-five people here. The Chair is pitted with these rules. Now simply because the majority has twenty-five votes does not mean that it's time to abandon the rules to impose your will on any minority because the rules are there for the protection of everybody and there may come a time when you who are in the majority might want the protection of these rules and that's what they are there for. It doesn't make any difference if you are on the majority or the minority. At the time that the vote came, I had the clerk read the result of Senator Goodrich's motion and it was not favorable to Senator Goodrich but I did, on my own, suspend our own rules and allow him to put the House under Call because I thought it was unfair to Senator Goodrich because I had not seen him trying to get recognition. My sole consideration in all of these deliberations is that this body can conduct itself according to the rules and the rules are very clear. Any senator has the right to have a question divided. Senator DeCamp, you're recognized for the purpose of closing your argument on appeal.

SENATOR DECAMP: Then, Mr. President, let us read the rules. Any member may call for the division of a question which shall be divided if it comprehends propositions in substance so distinct that one being taken away, a substantive proposition shall remain for a decision of the legislature. The burden was upon the President to say yes. Each one is so distinct that it can be taken away without effecting the rest or decided separately. Before Senator Goodrich's motion, I stated that the motion was unnecessary, that the issue was whether the rest of the bill was an integrated piece. I submit to you that it is and it's always been stated to you as an integrated piece. The balance of the bill functions each section working with another section and that's how it has to be reasonably dealt with. Also this morning, if you will think back, you will recall that Senator Schmit said when you were going to divide the question, "I'll reserve any decision on whether to appeal that or not." And you can go back and check the record on that. So, once we had gotten through those sections that had been dealt with previously, it now seems reasonable to adopt the balance of the bill in tact and then if there are changes, if there are proposals to make amendments to it, that they should be dealt with as an integrated piece and propose the separate amendments. That's all I'm trying to get done. Is get something that we can work with before we start dismantling it.

PRESIDENT: Senator DeCamp moves that section 21 through 57, I believe, be adopted. The Chair ruled that out of order. Senator DeCamp appealed that ruling. The question is, shall the Chair be overruled? Record your vote. Have you voted? Please vote. Have you all voted? We want to be fair. Record.

CLERK: 18 ayes, 17 nays.